

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-646

August 22, 2000

CENTRAL MAINE POWER COMPANY
Request for Approval of a Special Rate
Contract with American Tissue

ORDER APPROVING
CONTRACT

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

SUMMARY OF DECISION

By this Order, the Commission approves Central Maine Power Company's (CMP's or the Company's) proposed customer service agreement (CSA) with American Tissue.

DISCUSSION AND DECISION

On July 28, 2000, CMP filed with this Commission a proposed CSA with American Tissue. Pursuant to Revised Attachment F approved by Commission Order dated July 13, 1999 in Docket No. 99-155, contracts with terms of three years or less that are not anti-competitive or unduly discriminatory and that provide revenues in excess of the Company's marginal cost floors go into effect automatically. However, based on our review of the contract, it appears that it will not result in revenues sufficient to meet the criteria set forth in Revised Attachment F. Specifically, although the contract revenue will exceed the marginal cost, it will fall short of the adder required by Attachment F. Therefore, in order to become effective, this contract requires Commission review and approval.

We have reviewed the contract and find that there is no significant risk to CMP's other customers as a result of this Agreement. Therefore, we will allow the CSA to go into effect. However, we want to emphasize that we do not consider this contract to fall into either category (i) or (ii) as described in the approved settlement in Docket 97-580 (Phase II-B) at paragraph 28(c) (February 24, 2000) and therefore, any revenue differences would not be subject to deferral.

Accordingly, we

O R D E R

That the Customer Service Agreement with American Tissue, filed by Central Maine Power Company on July 28, 2000, is hereby approved and may become effective as of the date of this Order.

Dated at Augusta, Maine, this 22nd day of August, 2000.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.